STATEMENT OF BASIS

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0106071 to discharge to waters of the State of Louisiana.

Al No.: 43178 / Activity No.: PER20080001

THE APPLICANT IS:

Scott Equipment Company, LLC

10176 Airline Highway St. Rose, LA 70087

THE FACILITY IS:

Scott Equipment Company, LLC

10176 Airline Highway St. Rose, St. Charles Parish

ISSUING OFFICE:

Louisiana Department of Environmental Quality (LDEQ)

Office of Environmental Services

Post Office Box 4313

Baton Rouge, Louisiana 70821-4313

PREPARED BY: Bonnie Wascom

DATE PREPARED:

March 23, 2009, revised May 15, 2009

1. PERMIT STATUS

A. LPDES permit – LA0106071

LPDES permit effective date: February 1, 2004 LPDES permit expiration date: January 31, 2009

B. LWDPS permit – NA

LWDPS permit effective date: NA LWDPS permit expiration date: NA

C. Date Application Received: November 10, 2008

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY – Equipment Rental Yard

This is an existing heavy construction equipment rental company. Maintenance and washing of the construction equipment is performed on site. The generated wash wastewater is routed through a solids collection pit and oil/water separator before it is discharged to Duncan Canal via an unnamed ditch. All domestic waste generated at this facility is disposed of by BFI.

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B. FEE RATE

1. Fee Rating Facility Type: minor

Complexity Type: I
 Wastewater Type: III
 SIC codes: 5082, 7359

C. LOCATION -

10176 Airline Highway St. Rose, St. Charles Parish

Latitude +29° 28' 40.7", Longitude -90° 17' 9.2"

3. OUTFALL INFORMATION

Outfall 001_

Discharge Type: Exterior Equipment Wash Water

Treatment: solids collection pit and oil/water separator

Location: at the point of discharge from the oil/water separator prior to mixing with other

waters

Flow: 200 GPD

Discharge Route: by pipe to an unnamed ditch, thence to Duncan Canal

NOTE: This facility does not require storm water permit coverage because it does not discharge regulated storm water. The facility's SIC codes 5082 and 7259, are not listed in the storm water regulations at LAC 33:IX.2341.B.14.a-k and therefore the storm water runoff from the site is not classified as regulated industrial storm water.

Due to compliance problems, this facility will remain permitted under an individual permit instead of receiving coverage under the LPDES General Permit for Discharges of Exterior Vehicle Wash Wastewater LAG750000.

4. RECEIVING WATERS

STREAM - Outfall 001 - by pipe to an unnamed ditch, thence to Duncan Canal

BASIN AND SEGMENT – Lake Pontchartrain Basin – Subsegment 041203

DESIGNATED USES -

- a. Primary contact recreation
- b. Secondary contact recreation
- c. Propagation of fish and wildlife

EXISTING EFFLUENT LIMITS

Outfall 001 - Exterior Vehicle Wash Wastewater

Parameter	Limitation Mo. Avg.: Daily Max.	Monitoring Frequency Monthly	
Flow	: Report (GPD)		
Oil & Grease	: 15 mg/l	Monthly	
TOC	: 50 mg/l	Monthly	
TSS	: 45 mg/l	Monthly	
рН	6.0 – 9.0 s.u.	Monthly	

6. PROPOSED EFFLUENT LIMITS

BASIS - See rationale below:

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

A compliance history was reviewed for January 2006 to March 2009. There are no inspections on file as of March 31, 2009. There are no open, appealed, or pending OES enforcement actions as of March 31, 2009. There is no EPA enforcement history on file as of March 31, 2009.

B. DMR Review/Excursions

A DMR Review was conducted for January 2006 to March 2009. The review of the 11 DMRs on file revealed the following: 1) TOC was not reported on any DMR that was reviewed. COD appears to have been reported instead of TOC. 2) Exceedances of the TSS parameter were reported on nine of the DMRs that were reviewed. 3) Oil & Grease was not reported on one of the DMRs that were reviewed. 4) Flow was not reported on four of the DMRs that were reviewed. 5) pH was not reported on one of the DMRs that were reviewed. 6) Quarterly DMRs were submitted instead of the required monthly DMRs.

Reported Excursions

Date	Outfall	Parameter	Permit Limit	Reported
October 2008	001	TSS	45 mg/l	408
July 2008	001	TSS	45 mg/l	168
April 2008	001	TSS	45 mg/l	115
January 2008	001	TSS	45 mg/l	76.5
October 2007	001	TSS	45 mg/l	224
July 2007	001	TSS	45 mg/l	238
January 2007	001	TSS	45 mg/l	47
August 2006	001	TSS	45 mg/l	168
March 2006	001	TSS	45 mg/l	188

8. ENDANGERED SPECIES

The receiving waterbodies and proposed discharge are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

9. 303 (d) LISTED WATERBODIES

Subsegment 041203, Duncan Canal – from headwaters to Lake Pontchartrain, is listed on LDEQ's Final 2006 303(d) list as impaired for copper (EPA – Category 5). A TMDL is due to be established by March 31, 2011. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a future TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed to the equipment rental yard point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated. Copper is not known to be in this facility's discharge; therefore, requirements for copper will not be placed in this permit.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. Public notice published in:

Local newspaper of general circulation
Office of Environmental Services Public Notice Mailing List

Rationale for Scott Equipment Company

1. Outfall 001 - Exterior Equipment Wash Water

<u>Pollutant</u>	<u>Limitation</u> * Mo. Avg.: Daily Max.	Reference
Flow (GPD)	: Report	LAC 33:IX.2361.I.1.b
Oil & Grease	: 15 mg/l	Similar discharges (BPJ)
COD	: 300 mg/l	Similar discharges (BPJ)
TSS	: 45 mg/l	Similar discharges (BPJ)
pН	6.0 - 9.0 s.u.	Similar discharges (BPJ)
Oil & Grease, Visual	: No Presence	Similar discharges (BPJ)

Treatment: solids collection pit and oil/water separator

Monitoring Frequency: Once per month for all pollutants, with the exception of once per week for oil and grease, visual, at the point of discharge from the oil/water separator prior to mixing with other waters. Soaps and/or Detergents: document monthly in an inventory record the quantity and type of any Soap and/or Detergent used during each calendar month.

*Limits Justification: For all parameters, limits and monitoring frequencies are based on the general permit for exterior vehicle and equipment wash wastewater (LAG750000) effective on March 15, 2009 and similar discharges. Note: the monitoring frequency will remain once per month due to compliance issues noted in the DMR review.

BPJ Best Professional Judgment

GPD Gallons per Day

s.u. Standard Units

NOTE:

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

Monitoring Frequency

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.